

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: _____ DATE FILED: 2/13/2023
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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CONROY HIBBERT, JR.,	:	
	:	
Plaintiff,	:	1:22-cv-8257-GHW
	:	
-v -	:	<u>ORDER</u>
	:	
THE CITY OF NEW YORK,	:	
	:	
Defendants.	:	
-----	X	
GREGORY H. WOODS, United States District Judge:		

In a letter filed on the docket today, counsel for the New York City Law Department has, among other things, provided the names of two individuals who Plaintiff may seek to add to an amended complaint as responsible for the Department of Corrections' COVID policies. *See* Dkt. No. 13 at 3-4.¹ The Law Department has represented that the letter has also been sent to Plaintiff. *Id.* At 4. In accordance with prior orders of this Court, Plaintiff is given thirty days from the date of this order to file any amended complaint adding the individuals noted in the Law Department's letter. If Plaintiff chooses not to file an amended complaint by that date, his original complaint—now solely against the City of New York, *see* Dkt. No. 8 at 5—will be treated as the active complaint in this matter.

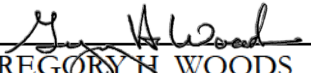
The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue). The Clerk of Court is directed to mail a copy of this order

¹ The letter also explains that if one of those individuals is named in the complaint, the Law Department would request to accept service on her behalf and then would waive service; the letter provides the service address for the other individual. Dkt. No. 13 at 3-4.

to Plaintiff.

SO ORDERED.

Dated: February 13, 2023
New York, New York



GREGORY H. WOODS
United States District Judge